

**From:** David Haworth  
**To:** Microsoft ATR  
**Date:** 12/5/01 1:52am  
**Subject:** Proposed settlement in U.S. versus Microsoft case

To: U.S. Department of Justice  
Re: Proposed settlement in the United States v. Microsoft case

There are so many things wrong with this "settlement" that I don't know where to begin.

First of all, there's no punishment. Microsoft has been found guilty, but gets away with the crime completely. The suggestion the someone made that Microsoft should contribute computers to aid the poorest schools seems to have some merit, but that "contribution" should under no circumstances include "donation" of Microsoft products. The counter-proposal from Red Hat would seem to be a nice option.

Secondly, the proposed behavioural remedies contain far too many loopholes through which Microsoft no doubt already has plans to wriggle. A glaring example is that there is nothing to prevent Microsoft from "retaliating" against vendors who sell computers without an operating system, or with only a non-Microsoft OS installed.

So back to the drawing board please. While I don't favour the breakup that was proposed by Judge Jackson, I feel that an acceptable settlement should include a punishment to fit the crime, and a form of behavioural remedy that will ensure that Microsoft cannot offend again.

Sincerely,

David Haworth

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